

REC'D 01 JUL '20 08:48 USC-ORF

Jose Castaneda, aka James Blume USMC, Per Crt Order
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FILE UPON DEMAND
PER US CONSTITUTION

IN THE FEDERAL DISTRICT COURT

FOR THE STATE OF OREGON

CASE NO : 3:20-cv-1057-SI

JAMES BLUME ,JOSE CASTANEDA
 et al, individuals with others and on
 behalf of the People of The State of
 California similarly situated, as they
 continued to be abused by the Los
 Angeles Superior Court System and
 its corrupt Judges! e.g. DeVanon,
 Miller, Drewry & Hickok (Requesting
 Whistle-Blower status & protection
 requested, and the reward by law.

Plaintiff,

Vs.

STATE OF CA, C.O.L. A., CITY OF L.A.,
 L.A.S.C., STATE BAR OF CA. Mag. Judge
 STEVE KIM, Disbarred Atty. Jack K.
 CONWAY, JAN W. ANDERSON, Et Al;

**Real Party in Interest: JUDGE HICKOK,
 COMM. DREWRY, JUDGE MILLER,
 JUDGE DEVANON, SAM PAZ, SONIA
 MERCADO, LISA MACCARLEY, EMAHN
 COUNTS, SEVAG NIGOGHOSIAN, GREG
 BLAIR, SARAH OVERTON, ROBERT
 FELTON, STEPHEN RYKOFF, ROBERT
 GOMEZ, DAVID A XAVIER MICHAEL
 FLANAGAN, WAYNE BOEHLE, OSCAR
 ACOSTA AND CHASE BANK Et Al**

Defendants.

COMPLAINT FOR CIVIL RIGHTS

1. "INTENTIONAL" VIOLATION OF RIGHTS;
2. CHAIN OF CUSTODY TAINTED BY COURT;
3. ALLOWED PERJURY FOR PROFIT BY ATTORNEYS;
4. VIOLATION DUE PROCESS OF PLAINTIFFS;
5. EXTRINSIC FRAUD ON THE COURT BY ALL DEFENDANTS;
6. VIOLATION OF 42 U.S. CODE SECTION 1983, 42 U.S. CODE; SECTION 1981, 42 U.S. CODE; SECTION 1985;
7. JUDICIAL CONSPIRACY;
8. TITLE 18, 241 & 242; CONSPIRACY TO VIOLATE CIVIL RIGHTS by JUDICIAL PREJUDICE & DISCRIMINATION;

9. JUDICIAL FACILITATION, Penal Code 653 (f): SOLICITATION OF JUDGE JOSEPH FRANCIS DEVANON "Let me get some", Code of Conduct Canon 4 (D)(1) "Financial Activities", "He never contacted the court", in Case GC042105;

JURY TRIAL DEMANDED

**TO ALL PARTY(S) STATE AND FEDERAL AND THEIR ATTORNEY OF RECORD
 AND THIS HONORABLE FEDERAL OREGON COURT:**

TO ALL COURT (S) STATE, FEDERAL, AND TO ALL INTERESTED PARTIES AND THEIR ATTORNEY OF RECORD, (hereinafter referred to individually and collectively as "PLAINTIFF" or "PLAINTIFFS") **"WHISTLEBLOWERS"** Complains, Claims and makes Formal Charges against Defendant(s), ESTATE OF ROBERT BERKE, decedent, and DOES 1 through 100, (hereinafter referred to individually and collectively as "Defendant" or "Defendants") as follows:

1. At all times herein mentioned, Plaintiffs, JOSE CASTANEDA, aka, JAMES BLUME USMC, **"Whistleblowers"** at all times relevant herein reside in the County of Los Angeles, California.

2. Plaintiffs are informed, believe, and know thereon and Complain, Claims and formal Charges the following that at all times relevant therein Defendants THE LAW FIRM OF ROBERT BERKE Et Al, THE ESTATE OF ROBERT BERKE Et Al and DOES 1 through 100 were individuals residing in the County of Los Angeles, California.

3. Plaintiffs do not know of the true names and capacities, whether individual, corporate or otherwise of the Defendants sued herein as DOES 1 through 100. Plaintiff therefore sues as said Defendant by such fictitious names. Plaintiff will amend this complaint to allege the true names and capacities of each of these Defendants when the same has been ascertained. Plaintiff is informed and believes, and thereon alleges, that each of the Defendants sued herein as a "DOE" is in some manner responsible for the events and occurrences alleged herein and that the damages alleged herein are the proximate result of such an "Outrageous" Conduct that is Criminal in Civil Proceedings, with a Judicial Conspiracy to Steal from cases with the intent to commit fraud and judicial theft by selling of judicial decisions, ruling and verdicts by what the people deem as the Judicial Mafia. The series of Judicial Tactic of tampering with evidence, cases, and our rights to engineer, design, and construct a Predictive, Purchased, and Discriminatory Verdict or Decisions from the courts [is] illegal. All the named Defendants and Doe Defendants are herein collectively and individually referred to as "Defendants" who intentionally violated my rights; to lose my case(s), before the case was even Filed! And, I object!

4. Plaintiffs is informed, knows, and believes, herein and thereon alleges and charges, that each of the Defendants was acting "IN CONCERT" [or] in a Coordinated as agent, partner, employee, associate, or even a joint venture's of each of the other Defendants to profit off my cases, and at all times herein alleged and charges, was acting illegally within the course and scope of said agency illegally, in an illegal partnership, and under the employment and joint venture to steal from cases, and with the knowledge, authorization, and ratification of each of the other Defendants for Judicial and

Administrative Profiteering for personal, promotional, or financial gain. And, I object as I become a "Judicial Whistle Blower" of Court Corruption along with Officer James Blume USMC!

FIRST CAUSE OF ACTION AND CHARGE

"A JUDICIAL SYSTEM WAS DEVELOPED" TO INTENTIONALLY VIOLATE THE CIVIL RIGHTS OF THE PEOPLE TO USE OUR COURTS, OR USE IT CORRECTLY BY (THE SELLING OF DECISIONS TO COME TO A PREDICTIVE OR PURCHASE VERDICT USING EXTREME PREJUDICE)

THE CLAIM, COMPLAINT, AND CHARGES AGAINST ALL DEFENDANTS ARE AS FOLLOWS:

5. Plaintiff incorporates paragraph 1 through 4 of this complaint as if fully set forth herein.

6. At all times herein mentioned, ALL Defendants were administered and took an "Oath of Office" to defend and protect the CONSTITUTION OF THE UNITED STATES; but failed to do so for promotional and financial gain to receive a bribe violating Public Policy. It's so bad, I'm also charging the courts with Judicial Treason! For proof. Why are Judicial Criminalized Acts allowed in civil Proceeding? And, I object!

7. On or about January 13, 2009 Plaintiff JOSE CASTANEDA appeared at the Los Angeles Superior Court where a Judicial Conspiracy, (*a violation of Cal. Penal Code 182, Conspiracy*) in Department "76", was allowed for a Judicial Bribe (*In violation Penal Code 67 & 68 Bribery*) in Case BC 118244, with Atty. Sonia Maria Mercado v. Jose Castaneda and also the Plaintiff, Complainant, and a Whistle Blower in this case, and was told nothing about Attorneys Ivan Shomer or Robert Berke, or who they were representing. Your Honor, Full Disclosure with Transparency was NEVER maintained in [any] of my case(s) to [RIP ME OFF]. (*For proof, and to verify this illegal act; of my claim, complaint, and charges, there was no MC-50 form, Representation form filed to the court!*) I had contracted the Law Firm of Jack K. Conway (Disbarred) to represent me; but this person did not show up, as the court allow this illegal Judicial Act to violated my rights and lose my Case(s), which violated my Rights to also a Fair Hearing under the 14th Amendment! (*Violation of Title 18, 241 & 242, Conspiracy; due to a bribe in coordination to the Bench Trial*) At the Hearing in Dept. 76, at or around 9:05 am, these two attorneys Shomer and Berke, whom I NEVER met in my life, went into Judge's Chambers to represent me with Commissioner Drewry, and Atty. R. Samuel Paz who apparently arranged this Judicial Scam, in a deal that was made without my consent, as needed and as required and prescribed by law; "in that" he, my [own] Attorney MUST consult me prior to the Hearing. Instead the parties went in "chambers" and

1 then illegally "agreed" to [Continued] the matter which became a Judicial Conspiracy, to the February
 2 4, 2009, on the "Condition" that the TRO be issued. Objection; Why? I was being falsely set up, and
 3 now accused of Stalking by Attorney Sonia Mercado with false, made up, concocted, fabricated
 4 allegations to get a [fake] TRO proven by my employer; when I was at work! For proof, [I]F I was
 5 Stalking her, why didn't she call the Police? I later found out later, that this was due to engineer my
 6 downfall to receive ill-gotten gains and set me up to lose my case(s) to extort me for more money from
 7 my estate for a couple of years by filing documents not needed or relevant to my case. The Attorney
 8 was "Papering the Court" for more money! After I obtained the Court Minutes for that Hearing, I
 9 learned that Robert Berke was representing me, and Ivan Shomer appeared for Jack Conway. I object!
 10 Evidence does not lie, people do! **[See Court Minutes and Court Transcripts for evidence that an
 Extrinsic Fraud took place by all officers of the Court at Hearing for Dept. 76]**

11 **In order to steal from my Estate, ALL Attorneys conspired to create a fake TRO, to create more**
 12 **work, and make more money, which after a bribe, was now granted illegally, but now granted**
 13 **on a lie to steal in my cases; and can be proven by the Court's Docket with a "Substitution of**
 14 **Attorney" form, (MC-50) "that" was not filed as required and prescribed by law, which violated**
 15 **my rights. The (MC-50, form was sabotaged to charge me more money! Attorney Paz and**
 16 **Mercado started a series of lies that will prove a conspiracy was in place to deny Jose Castaneda**
 17 **the Right to "Due Process under the 14th Amendment"; and then to deny Jose Castaneda to**
 18 **present ALL evidence at trial or hearing to engineer a Predictive and Purchased decision by the**
 19 **court. This was a simple case that has turned into a nightmare for financial gain that plunders**
 20 **my assets from my case(s) which becomes Judicial Theft; but by setting me up with unnecessary**
 21 **legal fees I NEVER needed!**

22 **For additional proof that Judicial Fraud took place are the statements by Atty Samuel Paz when**
 23 **he lies by stating: "HE FORCED OUR HAND, WE JUST DID WHAT WE HAD TO DO TO GET**
 24 **THIS ORDER" [See R/T of April 13, 2009, Page 5, Lines 4, 5] and Sonia Maria Mercado, as**
 25 **stated in a related matter: "APPARENTLY, LUIS HAD LEFT MILLIONS IN HIS ESTATE**
 26 **FROM AN ANNUITY FROM A PREVIOUS ACCIDENT WHICH LEFT HIM MENTALLY**
 27 **DISABLED"**

28 **[See Declaration of Atty. Sonia Mercado file 12-3-08 in Case GP013952 Estate of Castaneda]**

8. The *Mercado v. Castaneda* [BC402096] and The *Ramirez v. Castaneda* [GC042105]

the case(s) filed by Attorney Mercado and Attorney MacCarley on 12-17-08 and 1-09-09, respectively,
 were set up to be grossly mismanaged; to get more fees using Judicial Theft from Estate that
 borderlines criminal activity in Civil Proceedings causing Jose Castaneda great emotional pain,
 suffering, and great economical loss and irreparable harm to his Civil Rights and Freedom of Speech.
 This was an unjust decision as I lost these cases by a [FAKE] Default because all attorneys involved
steer and manipulate the proceedings in the case in one direction to find guilty of an engineered
 "Default", a fake and then a created charge of Stalking with no evidence of a Police Report to prove it
 was a lie, and fine me or charge me for things I did not do, as the legal services started to add up! And,
 the courts allowed this? Jose Castaneda, to keep me silent for Whistle Blowing" as I realized what
 was happening to me and my cases, that next, I was now set up for a fake and fraudulent "Sanction"
 for almost a Million Dollar, which becomes a Miscarriage of Justice that violates my 1st, 6th, 8th and
 14th amendment rights, and Civil Rights, which also silences my Freedom of Speech, to have
 Compulsory Process for obtaining witnesses in his/my favor. I was never allowed to present all
 evidence of how my 85-year-old mother was financially and mentally abuse by her own family and
 assisted by attorney Sonia Maria Mercado "In Concert" with all the Defendants; for Financial Gain!
 Felicitas Castaneda was being taken to the Cleaners and robbed of all her annuity and \$400k settlement
 money! I, and my Family was being milked for Unjust Rewards and for Unjust Financial Gain in
 Superior Court, based on a Judicial Bribe with lies when nothing was proven! If this is not true, why
 did the court or Judge pay for my Representation to set me up with Attorneys he hired for me? Because
 I never paid for Attorney Shomer or Berke, that were appointed by the court for their Representation!
 For proof, how can Attorneys represent me without any money, or a contract for legal services the
 court ordered for me in my cases? This is how you know I was set up to fail and fail in my cases too!
 This is a Common "Practice" in the State of California after a Judicial Bribe was paid Judge as used in
 the State of California all the time to throw cases or purchase decisions from the Bench Trials! For
 proof, no Jury Trials are allowed for Mexicans, and in another related case I know of, Case BV028409,
 Appeals Court Justices P. McKay, P. J., Dymant J, & Justice Keosian, J, allowed another stranger to
 come in to the Appeals Courts to argue a case by James Blume, (USMC Honorable) and Of course, he
 lost his case too! Greta Cutis came in and argued for James Blume in his case like mine, and he never
 hired her, never had a contract, never paid her too! Just like my case! Greta Cutis, a stranger, who
 knew nothing of Mr. Blume's case, started to argue his Appeals Court case too! The courts in
 California use this Judicial Series of Tactic all the time for a "Kick-Back" for an Engineered Purchased

1 and Predictive Verdict by the court! This is the court's Modus Operandi, Method Of Operation, or the
 2 new Judicial Tactics used by the court for a Judicial Bribe to sabotage cases to lose, and we lose our
 3 cases based on strangers appointed by the court to represent you which becomes Judicial Entrapment!
 4 Isn't this a "Conflict of Interest" for the Judge to hire Legal Counsel for you to lose your cases?

5 9. At all times Defendant Attorney Robert Berke had knowledge and was informed of the
 6 true facts as to the case Mercado v. Castaneda. Attorney Robert Berke acknowledges this on page 6,
 7 Lines 5 – 10: "Mr. Berke there's no reason to dispute the facts because we're just going to
 8 remove what there is." As an experience litigator in Civil Rights issues Mr. Berke knew in court that
 9 the YouTube website contained the Trial Court Proceedings of Testimony of Sonia Maria Mercado at
 10 2005 trial Jesus *Castaneda v. Castaneda*. My brothers were accusing of stealing millions from the
 11 Estate of my brother Luis Castaneda, who was murdered in County Jail in 1994. At trial, Atty Sonia
 12 Mercado could not "remember", "recall", and responded to many simple questions as "may have's".
 13 Atty Robert Berke stating "there is no reason to dispute the facts"? As a result of the agreement that
 14 was entered "illegally", I was deprived of my rights to exercise my freedom of speech and to share
 15 with the community at large HOW our judicial court system is "manipulated" "gamed" by all attorneys
 16 auguring their cases, after paying bribes to the court! And, I object!

17 10. The judicial suppression of the evidence and information to "edited" court cases are
 18 done to engineer your case to lose; and to the court in case BS 118244 and BC 402096, Mercado v.
 19 Castaneda caused the Plaintiff in this matter, to be deceived and deprived of the knowledge of the true
 20 facts surrounding Sonia Mercado's involvement with Lisa MacCarley as they make a deal to prolong
 21 the case for Financial Gain, and a fabricated false declaration of Susana Castaneda which is mentioned
 22 at court proceeding. The Law Firm of Lisa MacCarley and Associates in Glendale, practicing law are
 23 "Dirty", and are disrespecting the court by lying and smoke-screening the truth because they were not
 24 forth coming or were Transparent! For proof, where is their evidence to support [any] of their false
 25 claims made in court! That is why I dislike this court that allows rumors and lies in as evidence! Why
 26 does Plaintiff have to suffer for their shortcomings and lack of character!? For proof, Plaintiff always
 27 proves his case by evidence or exhibits! The opposing party just lies, and then I lose my case without
 28 any evidence that was never supplied to the court! What is the going rate for a win or for me to win my
 case by bribing the court? If I object, I am silenced! Because the court is not based on the truth or
 evidence, just lies that come to an Attorney's mouth at the time of trial to engineer verdict for profit,
 and in a commission of a crime of perjury to win their case(s)! Plaintiff wants the court to know that

1 he is proud of his ethics and character and would like to point out to the blind court that he always
 2 "SUPPLIES" the court with evidence or legal documents to prove his case! What has the opposing
 3 party supplied for any proof in court, or to verify anything that was said or stated to the court to be
 4 truthful? Nothing because it was a lie! And I lost my case based on lies and false evidence on
 statements and false declarations?

5 11. At all times Defendant Robert Berke failed as an Attorney, failed to present all
 6 evidence, failed to apply the proper Rules of The Court, and the above describe facts to Plaintiffs,
 7 which is the same to withhold his rights for a purchased decision and illegal decision. He, Atty Robert
 8 Berke deliberately "Withheld", "Suppressed", and "Concealed" information, rights, and fairness to the
 9 court that he, Robert Berke knew that these facts existed and did not disclose these facts to the court,
 10 but failed to recognized or present these sets of evidence, facts, and relevant information for a judicial
 11 bribe, and a chance that he can make more money doing the corrections on an Appeal. He never came
 12 to court with "Open & Clean Hands"; and sabotaged all my cases! He deliberately concealed the truth,
 13 evidence, and knowledge from Plaintiff and further knew that these facts that were not disclosed to
 14 Plaintiff as required by law because he knew it would hurt the party that purchased his decision or the
 15 case from the bench! For proof, and to verify my claims, complaint, and charges; evidence was
 16 tampered with, withheld, tainted, and was not disclosed, for a predictive verdict with sets of judicial
 17 tactics hurt my case to lose. The trial was so one-sided, it was criminal! For proof, where are my six
 18 million dollars as stated in court transcripts that went missing and NEVER ordered to return the
 19 money? Plaintiff feels that if opposing party had any ethics, and fully disclosed the proper information,
 20 that I could been able in time to reasonably discover this "vital" information to help his side of the
 21 case. But full disclosure was withheld! Because Plaintiff is not an Attorney, lack's experience,
 22 knowledge, and courtroom education in legal matters, and was unable to properly investigate the true
 23 outcome of his case. I was sabotaged to lose, set up for failure unjustly and was taken advantage of.
 24 Without proper outside legal assistance, the people are doomed or set up for failure. This violates the
 25 Constitution, and my right to a fair trial. I receive no equal protection, equal treatment, or equal rights.
 26 This in itself is morally and unethically a real problem with the courts today. There should be a
 "Citizen's Bill of Rights" to use the courts, protect the people from this dirty and unbalanced Judicial
 System, that is so one-sided, its criminal conduct that was designed to steal from the people!

27 12. Defendant Atty ROBERT BERKE knew that he can be less than truthful to the Plaintiff
 28 in this matter for financial gain, and inability to find the outcome, information, and legal

documentation that he needed, was deprived and withheld from him, and even took full advantage of this fact in an attempt to defraud Plaintiff. He never asked for the information, evidence, or when the opposing party lied, he never asked for a "Clarification Hearing"! So much for full disclosure and a fair trial! How can I even participate, when the rules, evidence, and exhibits are withheld so a person can cheat to win! Atty Robert Berke statements on record are proof that the court never reviewed the filings on record: *"In fact, I understand that and I'm sure that the parties do. So, this not an admission on your part of which factual version of the events are correct, but this just says let's remove what we have, let's not have the future stuff."*

[R/T Hearing with Stipulation signed by Attorney Paz, Conway, and Berke on February 2, 2009, or two days prior to the Hearing. This proves that it was a conspiracy to deny me and set me up BY my own attorney, without evidence, as he strikes a deal to plead me guilty] So why did Robert Berke not appear at the other case, this proves that Berke did not want to be involved in this Judicial Conspiracy and Scam that I lost because it was a case of Free Speech? Why come to court if the Judge wants to see what he wants to see for a judicial bribe, to extreme prejudice! For proof, when I lost on my "Free Speech" case, no damages were presented, opposing party never asked for compensation, but yet it was given as a "Pay-Off", and the Judge allowed almost a million dollars in sanctions? And; Without any damages? My brother was killed in jail, and my family received \$400,000.00! But I was sanctioned almost a million dollars for a free Speech case? Look at the award of damages on both cases! This is how you know it was a Pay-off! The court is supposed to see "ALL" the evidence, not look the other way for financial gain! *"The court: I understand there is a settlement. I have before me proposed order enjoining Jose Castaneda from harassment."* This was a purchased TRO to receive a pay-off! The Court was bribed, as proved from the cases above where "Sentencing Guidelines" were also ignored! This is how you know it was a judicial pay-off! Because, how can a case of opinions be worth a million dollars with no damages and a death case be worth only \$400,000.00 dollars! This is how you know the court was in on this conspiracy to sell decisions for a bribe!

13. Defendant, Judge Robert Berke indeed interfered with Plaintiffs' rights, and also interfered with plaintiff's attorney-client privileges. Berke displayed obvious bias toward a plaintiff in his court and engineered in handling evidence against Jose Castaneda's case to lose, as in all my request of the court is always... denied!, denied!, denied!, denied! Robert Berke_abused his position, his office, his power, and authority; which he was, and became an obstruction of justice. "Judicial

Perjury” was allowed for his share of the bribe money, stating and the filing a false document by Sonia Mercado to give her a win after a bribe was paid. For proof, I challenged the evidence, but was ignored! Our legal system is based on the fundamental principle that our courts are an independent branch of government in which fair and competent judges interpret and apply the laws that govern us through Stare Decisis, and not bribes paid to the bench. Defendants Drewry and Miller failed by showing their bias and prejudice against Plaintiff Jose Castaneda in ALL decisions at Trial and Court Proceedings that was based on storytelling by Mercado, Paz, Conway and Berke, this was a Courthouse was “Out of Control”!

SECOND CAUSE OF ACTION

“SABOTAGING EVIDENCE” BY FAILING TO KEEP “CHAIN OF CUSTODY” BY THE COURT TO ASSIST ATTY LISA MACCARELY FOR A BRIBE TO WIN HER CASE

(AGAINST ALL DEFENDANTS)

14. Plaintiff incorporates paragraphs 1 through 13 of this complaint as if fully set forth herein.

15. On or about December 17, 2008, Plaintiff evidence that had been provided in a list in a letter of as a contract “agreement” was also signed with the Law Office Jack K. Conway; Now Disbarred with evidence that was to have been entered with the court, but was withheld by Defendant Jack Conway for a bribe and greed; proven by his Disbarment! Plaintiff had an abundance of evidence to reach a favorable verdict in each and all of his cases; but lost because it was submitted into the court as evidence; I lost the Case! I object. But Defendants for a judicial bribe (Penal Code 67 & 68) INTENTIONALLY IGNORED ALL EVIDENCE ON FILE TO ASSIST ATTY SONIA MERCADO IN THIS CASE THAT WAS IN REALITY ABOUT MY FREE SPEECH, AND A RIGHT TO MY OPINIONS! Plus, the Court did NOT want me to disclose how to [rig] cases to lose!

16. Defendant, Atty Jack K. Conway (*Now disbarred*) had knowledge and was provided with evidence in the matter Felicita Castaneda v. Atty Sonia Mercado that was held in Department “S” at Pasadena Superior Court in 2006; that’s now closed to certain cases. The main Cause of Action and the central issue was the discovery of an “investment” made at Atty Sonia Mercado’s bank that was made with monies from a settlement of Felicita Castaneda which she NEVER received, and was supposed to be in her bank account? It has been in an alleged that 85 year-old senior citizen managed this [fake] “investment” made by her Attorneys Bank that was claimed Ms. Castaneda made over

several “telephonic withdrawals”, that can’t speak English, which [is] impossible and did not even know what an investment was, and never made any investment in her life? Does this make any sense when the money went missing at her Attorneys [own] Bank? And the court did not pursue this matter of an investment claimed by an 85-year-old lady, under heavy medication, slowly dying of cancer, calling banks to make telephonic withdraws in [only] Spanish without verifying her identity when the money went missing? Why?

17. Defendant, Judge RITA “SUNNY” MILLER fails to recuse herself because the Judge knew the Parties, and should step down, or step aside from this lawsuit which violates my rights. When I discovered that [now] Defendant Judge Miller and Defendant Atty Paz had a “Conflict of Interest” issue in that they both participated in Loyola Law School symposium years earlier and should have disclosed this information. By law and under Ethics, the Judge should have recused themselves when they knew the parties in her court. It was clear and evident that the decisions made by Judge Rita Miller were tainted, bias, and since she was not impartial, her decision is tainted, and it is in clear violation of the “Fruit of the Poisonous Tree Doctrine” for not being forthcoming and Transparent! If this is not true, why wasn’t this affair placed out into the open, when court was in secession and disclosed as required and prescribed by law? And why wasn’t this disclosed to [all] parties in court, prior to the start of my trial; to prove I was being Judicially Screwed? I realized I lost, before the case was even started!!!

This inaction to recuse herself by Judge Rita Miller and sudden having “Judicial Memory Loss”, “Judicial Blindness”; and to set Plaintiff in a “Position of Compromise” to sabotage his case and sent my case in a spiral set(s) of events which included the filings by Counsel for The Ramircz, Lisa Marie MacCarley, Defendant in this action, Such as) The Declaration of Susana Castaneda of a visit on January 4, 2008 of “visiting” Felicitas Castaneda at a Hospital; when she was not at hospital, but was executing her last will and Testament. 2) The Declaration of Gonzalo Castaneda, a Mexican-National that has deportations proceedings by INS/ICE My brother, Gonzalo Castaneda DOES NOT SPEAK, WRITE OR READ ENGLISH TOO. Plaintiff informed Defendant Judge RITA “SUNNY” MILLER of the fictitious and unreliable accounts of both Declarations based on a lie, fraud, and misrepresentations to the courts to commit judicial fraud, but to steal from my cases. The court chose to ignore this false information, suppress and act on Plaintiff’s claim to the detriment of his case, based on judicial prejudice, judicial discrimination, and hatred for “Whistle Blowing” on the Judicial Corruption in this Courthouse for selling decisions from the bench; verified by closing down the

Pasadena Courthouse of all its functions; except for Evictions and light cases! For proof, the Judge violated my rights when I was sentenced almost a million dollars, by-passing Sentencing Guidelines laid down by the State of California for a Judicial Bribe.

18. Defendant, another dirty Judge... Judge JOSEPH F. DEVANON ignores and states on record at Trial ON PAGE 61, LINES 10 – 12: **“THE COURT: LET’S GET TO THE LAST QUESTION, MR. CASTANEDA. WE ARE GOING TO TAKE A BREAK. WE’RE ON A FISHING EXPEDITION”** This “Fishing Expedition comment was made by Judge DeVanon, as I was questioning and getting to the truth of Evelyn Christina Ramirez that lies about her testimony of the \$112,000.00 dollars that suddenly “disappeared” from Felicitas Castaneda’s bank account in a transfer of an amount of \$25,000.00 dollars made to a [fake] of to “make an investment” for Felicitas Castaneda. (Why was an investment even made for my mother when we have no knowledge of making investments?) Plaintiff Jose Castaneda presented this evidence at trial. Judge DeVanon interfered, obstructed, and intentionally disrupted my line of questioning and fact finding in court. For an “Impartial” Judge, he always sabotages my questioning every time for a Judicial Bribe, when I realized the money that was embezzled from the estate! This was an important part of court trial as Evelyn Ramirez ADMITS that an “investment” is still in some account that belongs to the Estate of Felicitas Castaneda; that no one made and didn’t know how?

19. Defendant, Charles Chuck fails to supervise ALL Court Clerk as they manipulate, destroy, refuse the evidence and do not maintain the “Chain of Custody”, as they were paid to destroy the case file, in case GC 042105, which includes the filing of an MC-50 that causes the violation of Jose Castaneda’s Civil Rights to NOT have legal representation at trial, but was never allowed to have my Representation present as required and prescribed by law to help sabotage my case to make more money for the Attorneys! For proof and to verify this statement, where are ALL exhibits presented at Trial by Jose Castaneda that was stolen by the court to lose my cases? Who in their right mind comes to “ANY” trial in the whole United States, and never has any evidence; or your Evidence disappears? Does this make any sense? Not one exhibit, receipt, contact, taped recorded message, witness, pictures, etc. Supervising Judge Thornton claimed it was a “clerk’s error” when in fact 8 documents “went” missing from the file GC045202 to be later re-inserted when case was brought before Judge Stewart at the Burbank Court, who in a clear abuse of discretion “threw” Castaneda’s pleading in his direction after Disbarment of Conway. “Take this garbage out of my courtroom” Officer Blume witness it all.

THIRD CAUSE OF ACTION

PERJURY BY AN OFFICER OF COURT
(AGAINST ALL DEFENDANTS)

20. Plaintiff incorporates paragraphs 1 through 19 of this complaint as if fully set forth herein.

21. Defendant, Judge JOSEPH F. DEVANON allows Attorney Lisa MacCarley to stipulate at Trial on February 22, 2010 the following: ***"I WAS NOT REPRESENTING MISS RAMIREZ AT THE TIME, SO OBJECTING ON THAT GROUND."*** The Court will take Judicial Notice of evidence presented at trial that was suppressed "intentionally" to assist Atty Lisa MacCarley that was made reference to this issue on Page 67 and 68, of a letter of Lisa MacCarley sent to Atty Chad T-W Pratt "settling" a prior case for a Quiet Title, Conversion, and Fraud. It contains the following statement or an admission of "Guilt" because her clients stole from my mother's estate: **"HAVING SAID THAT MY CLIENTS WILL AGREE TO TRANSFERRING THEIR INTERESTS IN THE REAL PROPERTY TO 1377 RUTAN WAY, PASADENA, IF THAT IS WHAT MRS. CASTANEDA DESIRES."** [SEE EXHBIT ON FILE GC 042105 Letter of Atty Lisa MacCarley to Atty Chad T-W Pratt] Your Honor, they illegally took the property which is Grand Theft, under Cal. Penal Code 487, which is a Felony, and the court allows this Criminal Act in its presents without a D.A. Referral? I object! And, a crime committed in the court's presents? What kind of Court is this? And then when they are caught, will the Perpetrators "Transfer" the property back to the estate? **Who agrees to transfer's back property; if it is theirs?** This proves it was Judicial Theft! This is also a confession, or admission of guilt! Your Honor, Atty MacCarley was involved to make more money when my family took the property and was never disciplined by the court for a bribe! For proof, my relatives are not that smart, and Atty MacCarley kept on making monies from my families stupidly constructively stealing from the cases, by giving illegal and wrong legal advice to make more money as a Court Appointed Thief who was an Attorney in the case! So, she could profit too, which is Solicitation under Penal Code 653(f) by Atty MacCarley and the court! The court was involved because it never corrected the situation and looked the other way for a bribe! If this is not true, why didn't the court order the correction and property to be returned to the rightful owners or the estate; that was NEVER DONE!

The Court will further take Judicial Notice of the letter's subject as "Castaneda v. Castaneda Case No. GC 039459." When Atty Lisa Marie MacCarley stipulation on Page 68, Lines 2 and 3: **"I WAS NOT REPRESENTING MISS RAMIREZ AT THIS TIME, SO OBJECTION ON THAT GROUND"**. This is NOT true, and another of many lies to the courts! This is Judicial B.S.! IF Lisa

MacCarley was not representing Miss Ramirez in this case, why is Atty. MacCarley sending this letter to Atty Chad T-W Pratt "settling" the case by returning the property that was stolen and taken from Mrs. Felicitas Castaneda illegally and a multiple checks for \$5,000.00 of the \$112,756.32 taken from my own mother's account before her death of my mother Felicitas Castaneda? If Atty Lisa MacCarley was not representing Miss Ramirez as she claims and states, in case GC 039459 Quiet Title, why did Lisa MacCarley STIPULATED, AND "LIED" AND KNOWINGLY LIED TO THE COURT, by COMMITTING PERJURY AT TRIAL! DEVANON: *"HE NEVER CONTACTED THE COURT"* Meaning Attorney Emahn Counts. MACCARLEY: *"I NEVER HEARD FROM HIM EITHER"* Attorney Counts confirmed a Fax as MC50 was sent to MacCarley on 2-19-2010 at 9:40 am. She lied!

And the court allows this type of negative and criminal behavior by one of its Officer of The Court; to get their cut of the Action? The Military tells its Supervisors to lead by example! In your court, you lead by example too, where the best Thief Wins! Because so far you allowed Theft, Embezzlement, and Perjury in your dirty courts; proven by closing them down in the Pasadena area! And the courts allow her to keep on lying in court? Why is this allowed? There is never any proof to verify anything as my evidence and Exhibits proves Atty McCarley is a Big Liar; and can't be trusted! Nothing is ever Certified or Verified by law; or even proven! And the Court allows this over and over, looking the other way for a Judicial Bribe! More theft and crime are committed in the Pasadena, LA court of law than in a State Prison where all the Criminals are housed and kept!

22. On November 15, 2007, Defendant Atty Lisa Marie MacCarley sends a Nurse Jim Schneiders and Office worker Yolanda Rivero as "Translator" that is not certified by the courts to translate, to hide her theft from my mother's account. Attorney MacCarley sends Nurse and Office worker to the Hospital bed at Huntington Hospital in an attempt to label Felicitas Castaneda as "insane" and "in need of a Conservatorship" to "invalidate" Felicitas Castaneda's Last Will and Testament executed on January 4, 2008. This was done to hide the fact they; MacCarley's Clients took monies illegally from my mother's bank account. This happened a month before all of Mrs. Castaneda's children suddenly appeared after being absent for years since 2005, and never visited her until she was slowly passing away to take my mother's property and all her assets. This proves that Atty Lisa MacCarley had knowledge that Felicitas Castaneda did not speak, write, or read English; just by the fact that Yolanda Rivero was sent to "translate" the questions presented illegally by Nurse Schneiders without her attorney Chad T-W Pratt who was NOT present at the illegal questioning, and without a certified translator as required by law! This proves the "Act" to commit Theft, and cover

1 their tracks of Embezzlement and Theft, because my mother was already under heavy medication, and
 2 you send people to "Invalidate" my mother's own will on her death bed, slowly dying of cancer
 3 without her Attorney present! How low can Attorney MacCarley get to steal from a person dying and
 4 under heavy medication and making her sign legal document in English, right before her death when
 5 she ONLY speaks Spanish! And this court allows this type of negative and criminal behavior, because
 6 it never orders the property to be returned for a judicial bribe when the Judicial Theft occurred! Again,
 7 this is a reflection of the integrity of the court and its values. To steal from parties and ruin lives!

8 **23.** In case BC 402096, Atty Mercado v. Castaneda, Attorney JACK K. CONWAY
 9 (disbarred) and Atty LISA MARIE MACCARLEY "conspired" to Milk this case to steal all the assets
 10 by keeping the case in the court system for years for Personal and Financial Gain and to get Unjust
 11 Riches and Rewards. The Attorneys presented a [fake manufactured] declaration of Susana Castaneda
 12 of a fictitious visit to see mother at hospital when this declaration was a "creative" figment of Atty
 13 MacCarley imagination, and Attorney Lisa MacCarley, again, was involved, again! For proof and to
 14 verify that Susana Castaneda, a.k.a. Susana Ramirez DOES NOT possess the skills necessary to write
 15 this declaration, let alone understand its contents, because she lacks the education and knowledge!
 16 Your Honor see the pattern from the Attorneys like Atty MacCarley. Attorney MacCarley then sends
 17 intentionally an uncertified translator to change my mother's will, when she starts stealing from her
 18 clients who was under heavy medication in the Hospital, and now she is writing fraudulent declarations
 19 for my sister Susana Ramirez! Susana Ramirez signed this false declaration, steals from my mother's
 20 estate, then to get assistance in covering the theft and plundering of monies from the Estate of Felicitas
 21 Castaneda. Susana and brothers, with Atty MacCarley help and bad legal advice to commit theft, was
 22 so she could steal from my mother's bank account when she had my mother's bank account! Be
 23 advised, there are millions missing from the Estate of Felicitas Castaneda, as Attorney was behind the
 24 scenes manipulating my family to steal from my own mother, so she could take the money too, and
 25 then blame it on someone else! "*APPARENTLY LUIS LEFT MILLIONS IN HIS ESTATE.....*" Sonia
 26 Maria Mercado presented this lying statement to my brothers so she make more money and cover her
 27 theft from my mother's own bank account, who in turn sued me in 2003; when the trial was held in
 28 Department "P" based on a lie to cover Mercado's theft from my mother's account, and put and shift
 the blame on me! She NEVER called the Police on me! Why, if she claimed I stole it! Over 300
 exhibits were presented that proved I DID NOT "DEPLEATED" all these millions from the Estate, no
 District Attorney Referral for prosecution was made, but the dumb Judge NEVER ordered the Money

1 returned; that the Attorney claimed I stole. I object; why if I stole it? Atty Sonia Mercado, like Atty
 2 Jack K. Conway, (Disbarred) Atty Lisa MacCarley ARE all liars, co-conspirators, and perjurers in the
 3 courts, and the court judges ignores the Judicial Theft for his cut of the money or his share of the bribe
 4 because nothing is questioned or verified, and never ordered to return the property until it cleared
 5 Probate Court! But, [if] the property was stolen; it can NEVER clear probate due to the Judicial Mafia!

6 **24.** In Case GP 013952, attorney Sonia Maria Mercado files a declaration on December 3,
 7 2008 with the following statement: **"I NEVER HAD ANYTHING TO DO WITH HOW MRS.**
 8 **CASTANEDA SPENT HER SETTLEMENT MONEY, HAD NO INVOLVEMENT WITH WHERE**
 9 **SHE INVESTED HER MONEY OR WHAT SHE DID WITH IT."** [SEE DOCKET; yet it was done
 10 at Mercado's Bank located at 630 Figueroa Street and Law Offices at 777 S. Figueroa Street!!!]

11 **25.** In Case BS 118244, Atty Ivan Shomer stipulates on court Record on January 13, 2009:
 12 **"MR. SHOMER: GOOD MORNING, YOUR HONOR. IVAN SHOMER STANDING IN FOR**
 13 **JACK CONWAY WHO WILL BE MR. CASTANEDA'S ATTORNEY OF RECORD."** THEN Jack
 14 Conway stipulates on April 13, 2009: **"IF WE LOOK AT THE ACTIVITY THAT HAS BEEN**
 15 **DONE IN THIS CASE, WE HAVE A TRO THAT WAS ISSUED ON JANUARY 13, 2009, THAT**
 16 **WAS BEFORE I WAS RETAINED. ON FEBRUARY 4TH, THE TRO WAS DISMISSED BEFORE**
 17 **EVID BY BOTH SIDED."** Atty Conway states to a question by Judge Miller as to when he was
 18 retained for the case: MR. CONWAY **MR. CONWAY: YOUR HONOR, I WAS RETAINED FOR**
 19 **THIS PARTICULAR CASE IN THE EARLY PART OF FEBRUARY, FEBRUARY 2ND,**
 20 **FEBRUARY 3RD.** The court Shall take Judicial Notice of the above statements by court officers as
 21 steps are needed to hold the above Officers that intentionally lied and fabricated statements to win their
 22 cases and escape their Fiduciary Duties when they repeatedly lied to Judge(s) Miller, Saito, Dodson.

23 **FOURTH CAUSE OF ACTION**
 24 **VIOLATION DUE PROCESS**
 25 **(AGAINST ALL DEFENDANTS)**

26 **26.** Plaintiff incorporates paragraphs 1 through 25 of this complaint as if fully set forth
 27 herein.

28 **27.** On or about February 22, 2010, Judge Joseph F. DeVanon REFUSE that the Law Firm
 of Emahn Counts represents Plaintiff in this case at trial for case GC 042105, in violation of Jose
 Castaneda's Civil Right to Due Process, representation, to come to a purchased and predictive verdict.
 The conduct of Judge DeVanon to [guide] and [steer] cases to a purchased verdict violates his oath of
 office to protect and defend the rights of Jose Castaneda, and his family! If he was an Honest Judge,

1 why did he not order the funds returned back to my mother, or at least warn the thieves in his court!
 2 Because he was one of them; and got a "Kickback" for selling his decisions! Your Honor, in the
 3 Military, they state: "if" you are not part of the solution; you are a part of the problem! This is why this
 4 case is so messed up, and now turns criminal!

5 **28.** On or about December 17, 2008, Defendant JACK K. CONWAY was presented by
 6 Plaintiff with a letter from Atty Sonia Mercado sent to an attorney Michael R. Sohigian, 10940
 7 Wilshire Blvd, Los Angeles, California 90024. Mr. Sohigian is the son to Judge Sohigian in the Los
 8 Angeles Superior Court. The letter stated as fact, and verifies the following on item 3):

9 "THAT AT THE TIME I REPRESENTED MRS. CASTANEDA, SHE WAS AFRAID. IN FACT,
 10 DID JOSE TELL YOU THAT FOR AN ENTIRE YEAR, MRS. CASTANEDA WAS HOMELESS
 11 BECAUSE JOSE HAD "DEPLETED" ALL THE FUNDS". [Court Docket GC 042105 filing as
 12 related case that judge Devanon; "intentionally ignored"] This was a lie! How can my mother be
 13 "Homeless", when the bank had her account of having over \$ 150,000.00 dollars in her account!
 14 Another lie in court! My mother was "never" Homeless! For proof, if she was homeless, why didn't
 15 the Attorneys who made this statement in court; call the Police and Social Services by law! Because it
 16 was another lie in court! *(See the pattern and practice)*

17 **29.** Defendant JACK K. CONWAY was also presented with an Attachment from a
 18 schedule of payments for annuity of Luis Castaneda. All the funds that Mrs. Atty Mercado makes
 19 reference in letter were part of the Estate. *(See Court Docket GC 0412105 filing as Related case that*
 20 **Judge Devanon; "intentionally ignored" for a Kick-Back!]**

21 **30.** Defendant Judge JOSEPH F. DEVANON DENIED PLAINTIFFS JOSE
 22 CASTANEDA AND FELICITAS CASTANEDA of Due Process rights, and fully knowing the facts of
 23 related cases. Now, he [is] no longer on the bench! *(See the pattern of Disbarred Attys; and now*
 24 **Judges in this case!)**

25 **31.** Defendant JACK K. CONWAY, my former Attorney, who is presently being
 26 investigated by the State Bar of California in case 09 O 15781; and now Disbarred. The prosecutor
 27 Anthony Garcia will be completing his investigation in the next couple of months. Plaintiff will amend
 28 complaint to include facts of investigation to prove judicial corruption and when Plaintiff obtains entire
 case and accounting. [See Case 09 O 15781] Defendant [Disbarred] Jack K. Conway, Lisa Marie
 MacCarley, Sonia Mercado, Samuel R. Paz, Emahn Counts intentionally violated the Cal. Bar's rule 5-
 220, Suppression of Evidence.

1 "A member shall not suppress any evidence that the member or the member's client has a legal
 2 obligation to reveal or to produce."

3 32. Defendant and disbarred Atty Jack K. Conway created and has in his possession TWO
 4 contracts signed with Plaintiff. One contract dated January 4, 2008 and Second dated December 17,
 5 2008. Which contract is the lie, because it is impossible to have two different contracts on the same
 6 client! He, this dirty Attorney that's disbarred created the second contract to fool and lie to the courts;
 7 to escape his liability! And the court allows this criminal behavior in [now] what becomes a dirty
 8 court! This Shows, Displays, and now proves he is a liar and a thief, and show me any Attorney in the
 United States that has two contracts on the same client with different dates, to lie to the courts!

9 33. Defendant Atty and now disbarred Jack K. Conway KNOWNGLY gave false testimony
 10 on May 8, 2009, as Judge Rita "Sunny" Miller Asked Mr. Conway, after Mr. Conway was placed
 11 under oath:

12 **PARTIAL TRANSCRIPTS OF MAY 8, 2009 IN DEPARTMENT 16**

13 COURT: YOUR DECLARATION, MR PAZ, HAS RAISED SOME QUESTIONS ABOUT
 14 SOME THINGS, AND YOUR DECLARATION DOESN'T REALLY COVER SOME OF THE
 15 THINGS THAT HE'S RAISED, SO FOR ME TO UNDERSTAND WHAT HAPPENED HERE, I
 NEED TO ASK A COUPLE OF QUESTIONS.

16 **JUDGE MILLER: "WHEN WERE YOU RETAINED FOR THIS CASE?"**

17 MR. CONWAY: "YOUR HONOR, I WAS RETAINED FOR THIS PARTICULAR CASE IN
 18 THE EARLY PART OF FEBRUARY, FEBRUARY 2ND, FEBRUARY 3RD"

19 Your Honor, Judge in Oregon Court, IF Mr. Conway was retained on February 2,
 20 February 3, and then WHO hired Attorney Ivan Shomer to appear for me case BC402096 on January
 21 13, 2009? Was it the Court or Disbarred Atty Conway who hired him? See the Judicial Corruption in
 22 this courthouse, that becomes a Judicial Whorehouse proven by the shutting down of the Pasadena
 Courthouse when the population is climbing in this area?

23 **FIFTH CAUSE OF ACTION**

24 **EXTRINSIC FRAUD ON/BY THE COURT BY ALL DEFENDANTS TO DENY**
 25 **JOSE CASTANEDA'S CIVIL RIGHTS**

26 **(AGAINST ALL DEFENDANTS)**

27 34. Plaintiff incorporates paragraphs 1 through 33 of this complaint as if fully set forth
 herein.

28 35. At all times, all Defendants had possession of all evidence that included the statements

created, fabricated, designed in our courts by all the attorneys in the above. The statement by Atty Samuel R. Paz illustrates and proves that "illegal" activities took place as all attorneys "gamed" or "Conned" the corrupt court system to obtain a predictive or purchased verdict \$996,002.45 from the courts on an Entry of Default, and on a Free Speech Case?. Atty Samuel R. Paz stipulates: **"HE FORCED OUR HAND, WE JUST DID WHAT WE HAD TO DO TO GET HIS ORDER."** Again, this statement illustrates the actions by the attorneys mentioned in this lawsuit. Mr. Paz further states: **"FIRST, THERE NO QUESTION THAT THEY ARE THE PREVAILING PARTY. ABSOLUTELY NO QUESTION. EVERYTHING WE ASKED FOR IN THE ORIGINAL PETITION IS IN THE STIPULATION AND THE COURT'S SIGNED THE ORDER."**

36. At all times, all Defendants and the Los Angeles Superior Court allowed Ivan Shomer to appear for me, without a contract, without payment, and without the REQUIRED MC-50 COURT FORM, to go into judge's chambers, to strike a deal without ever consulting me his [own] client, and "settle" and continue a Related Case, BUT in *Ramirez v. Castaneda*, by the DEFENDANT JUDGE JOSEPH F. DEVANON whose off the Bench, That REFUSES THAT THE LAW FIRM OF EMAHN COUNTS REPRESENT JOSE CASTANEDA. Is this legal; and I object? If I hire an Attorney, can the court refuse my Representation as guarantee by the Constitution for "any" reason? It is clear, that the rules are not enforced of the following, that the Law is what the Justice presiding on the bench feels the law is, after payment was made as a judicial bribe with extreme prejudice. Jose Castaneda NEVER had a chance to fully conduct and exercise his rights at trial to confront disbarred attorney due to a bribe paid to the bench; but NEVER had a chance like Officers Blume's cases too. (*See the pattern*)

SIXTH CAUSE OF ACTION

VIOLATION OF 42 U.S. CODE SECTION 1983 OF PLAINTIFF AGAINST ALL DEFENDANTS, ESTATE OF ROBERT BERKE, RITA MILLER, ANTHONY B. DREWRY, JOSEPH F. DEVANON, LISA MARIE MACCARLEY ESQ., EMAHN COUNTS ESQ., SEVAG NIGOGHOSIAN ESQ., CHARLES "CHUCK" LOVE COURT MGR., SUSANA CASTANEDA / SUSANA RAMIREZ, SAM PAZ, SONIA MERCADO, JACK K. CONWAY, IVAN SHOMER AND DOES 1-10

(AGAINST ALL DEFENDANTS)

37. Plaintiff refers to paragraphs 1 through 36 above and incorporates them by reference herein as though fully set forth.

1 38. This action arises Title 42 of the U.S Code, § 1983, the 8th and the 14th Amendments of
2 the United States Constitution, and common law principles and practices that are illegal herein.

3 39. As set forth in the above, Plaintiff was subjected to deprivation of rights for financial
4 gain by Defendants stealing using the courts, acting or pretending to act under the Color of Law and of
5 not following the statutes, ordinances, regulations, customs and usages of the Law of United States,
6 State of California, with my rights included, but not limited to, privileges and immunities secured to
7 Plaintiffs by the Constitution and laws of the United States. By reason of the series of aforementioned
8 acts, the individual Defendants and Docs 1 – 10, have violated the constitutional rights in-conjunction
9 of a crime of the Plaintiffs rights which are protected under the 8th and 14th Amendment's prohibited
10 against depriving a person of a right to be [honestly] represented in a court of law, by now disbarred
11 attorney Emahn Counts. This violated my Due Process Rights of the law. Plaintiffs allege and charges
12 that this wrongful / illegal / criminal conduct of the individual Defendants and Defendant Does 1 – 10,
13 legally caused Plaintiffs' general and special damages as allowable pursuant to federal law in the
14 "Highest" amount according to proof and damages or what the court deems as necessary, along with a
15 special request for a Bill Of Rights to use the courts, properly; so this Judicial Scam can't happen to
16 anyone else! Requesting a Judicial "Check List" to be submitted with our complaint to the court and
17 make sure our rights are not violated in the Bill of Rights to use the courts!

18 40. At all times herein mentioned Defendants and Does 1 – 10 acted with a deliberate
19 indifference to allowing Plaintiffs' representation by counsel Emahn Counts at trial of February 22,
20 2010 for a predictive and engineered verdict where according to Atty Lisa Marie MacCarley, Jose
21 Castaneda presented "no evidence" at trial, none, nothing! As a result, thereof, Plaintiffs suffered
22 damages as set forth herein and Plaintiffs are further entitled to an award of Extra Ordinary Punitive
23 Damages by applying judicial fraud "tactics" to just lie and then to denied in the courts! Who comes to
24 court with no evidence; and this [is] nuts and what the parties want the higher courts to believe!

25 41. By virtue of the provisions of 42 U.S.C. Section 1988, Plaintiffs are entitled to and
26 demand an award of reasonable attorney's fees, pain, suffering, his home being sold by the courts,
27 homeless, and costs according to proof established to prove my claims, complaint, and charges.
28

SEVENTH CAUSE OF ACTION
VIOLATION OF 42 U.S. CODE SECTION 1983 OF PLAINTIFF AGAINST
DEFENDANTS, RITA MILLER, ANTHONY B. DREWRY, JOSEPH F.
DEVANON [off bench since 2011], LISA MARIE MACCARLEY ESQ., EMAHN
COUNTS ESQ., SEVAG NIGOGHOSIAN ESQ., CHARLES CHUCK COURT
MGR., SAM PAZ, SONIA MERCADO AND now disbarred Atty. JACK K.

CONWAY AND DOES 1-10**(AGAINST ALL DEFENDANTS)**

42. Plaintiff restates, affirms and reiterates Paragraphs 1 through 41 of this complaint and incorporates them herein by reference, and special circumstances to interrupt, interfere, intrude, by throwing away my court file to make it harder to Appeal, to protect the dirty Justices on the bench for crimes against plaintiff of Special Circumstances of "Mental Terrorism". *(Your Honor they tried to sell my house from underneath me, illegally! And retaliated for Whistle Blowing! In addition, Attorney Anderson moves to State of Oregon after stealing Property from Probate GP003849)*

43. At all times herein mentioned Defendants Judge Joseph F. DeVanon, now off the Bench, and Court Manager Chuck Love maintained a de facto unconstitutional informal custom or pattern and system of permitting, ignoring, and condoning staff to break the law, rules of the court, policies, and illegal procedures by staff manipulating the document(s) to be filed in Case GC 042105 or the Substitution Of Attorney, MC-50 form as required by law, which was filed as 2-22-2010 and entered on 2-24-2010 to allow the Judicial to take place. (Which date is the correct dated of filing? You can't have two dates on one document!) And which date is the lie, since you can't use both!?

44. At all times Defendants Judge Joseph F. DeVanon; whose off the Bench had a "Fiduciary Duty" to instruct their subordinates to prevent similar acts to other persons, but failed to take steps to violate the rights of the people, and did "Not" properly train, supervise, investigate or instruct clerks to stop this practice for his share of the illegal profits, and as a result, Plaintiffs were harmed in the manner that resulted in Plaintiffs losing case(s), life-style, and made him homeless. The manipulation, construction, and engineering of documents filed, entered in court is a common practice violating the "Chain of Custody Doctrine" as well as the cancelation of hearings for persons representing themselves, and never giving you notice.

45. At all times Defendant Joseph F. DeVanon who is off the Bench had a Fiduciary Duty to protect the Constitutional Rights of Plaintiffs by permitting a Continuation to be used as requested by Plaintiff to clarify.... WHY Emahn Counts did not show up, but "Instead", hired Attorney Sevag Nigoghosian, in a "bait and switch scam" used in all courts in the state of California to engineer the case for a purchased and predictive verdict. This series of illegal act(s) must be stopped, because it caused irreparable harm and prejudice of the Plaintiffs cases at trial. See "Bait and Switch" in BS 118244! We the People demand a Filer's Bill of Rights to stop the systemic court corruption.

46. At all times Defendants Judge Joseph F. DeVanon, who was kicked off the Bench and

Atty Lisa Marie MacCarley “engineered” for a 1st Continuation in case after denying Plaintiffs through the “Discovery” Process of Motions filed for the January 26, 2010 hearing. (Objection; Why?) Again, the record shows and displays that all pleadings, motions, objections filed by Plaintiff were “Denied”, “Denied”, and “Denied” by Judge Joseph F. DeVanon confirming bias, prejudice, discrimination, and extreme hate because I was not white, smart, and was very poorly represented by an attorney that I could not afford, but then who sabotages cases to make more money doing your Appeal, and I am financially ruined through all these cases filed by attorney MacCarley, Mercado and Paz, as agreed “In a Conspiracy” to retaliate against me for “Whistle Blowing” on the selling court decisions, by the sabotaging of cases in court for a bribe.

EIGHT, NINE AND TENTH CAUSE OF ACTION

VIOLATION OF 42 U.S. CODE SECTION 1985, JUDICIAL CONSPIRACY, TITLE 18, 241 & 242 OF PLAINTIFF AGAINST DEFENDANTS, RITA MILLER, ANTHONY B. DREWRY, JOSEPH F. DEVANON, LISA MARIE MACCARLEY ESQ., EMAHN COUNTS ESQ., SEVAG NIGOGHOSIAN ESQ., CHARLES CHUCK COURT MGR., SAM PAZ, SONIA MERCADO, AND now
disbarred attorney JACK K. CONWAY AND DOES 1-10

(AGAINST ALL DEFENDANTS)

47. Plaintiff restates, affirms and reiterates Paragraphs 1 through 46 of this complaint and incorporates them herein by reference, and special circumstances to interrupt, interfere, intrude, by throwing away my court file, to protect the Justice on the bench for crimes against plaintiff.

48. Plaintiff wants to show and display to all the courts that a Civil case in a court of law that has turned criminal in nature all for a bribe to the justice on the bench, which is also conspiracy to violate my rights.

49. Plaintiff wants to tell, inform, and notify the court that the Courts in California NEVER use Sentencing Guidelines, which proves and displays that the Court is taking bribes and stealing from the people. For proof, I was sanctioned almost a million dollars and then I had six million dollars that I cannot find anymore. Can you help PLEASE me clarify these main points that ruined my life and caused me irreparable harm? These statements of the millions being part of the Estate were made in open court of law to win their cases by the opposing party. Yet, Judges Miller, Drewry, or DeVanon never asked for any proof, certification, or verification and accepted nothing but Judicial Lies by attorneys for bribe.

1 **50.** Plaintiff would like to advice and inform the court of two statements that affected the
 2 Plaintiffs by attorney Samuel Richard Paz and Attorney Sonia Maria Mercado. Paz stated that I forced
 3 his hand. How? Then. Atty Sonia Mercado stated in open court that my brother Luis left millions in his
 4 Estate! Please help me to find the millions of dollars, as stated in court, left by my brother. If you can't
 5 help me find the millions of dollars and you cannot find them, can you please grant me the millions
 6 back in a judgment that was in the court's custody?

7 **51.** Plaintiff would like to be advised, and inform the court of the "defective" Proof of
 8 Service submitted by Atty Sonia Mercado and Samuel Paz in the following filings for dates to lose:

9 **03/24/2010** Request to Enter Judgment
 10 Filed by Attorney for Pltf/Petr

11 **03/24/2010** Miscellaneous-Other (STATEMENT OF DAMAGES)
 12 Filed by Attorney for Pltf/Petr

13 **03/23/2010** Miscellaneous-Other (PLAINTIFFS RESERVATION OF RIGHT TO SEEK PUNITIVE
 14 DAMAGES ON DEFAULT JUDGMENT)
 15 Filed by Attorney for Pltf/Petr

16 **03/23/2010** Declaration (DECLARATION OF SONI MERCADO)
 17 Filed by Attorney for Pltf/Petr

18 **03/23/2010** Declaration (DECLARATION OF R. SAMUEL PAZ IN SUPPORT OF DEFAULT
 19 JUDGMENT)
 20 Filed by Attorney for Pltf/Petr

21 **03/22/2010** Notice (PLAINTIFF'S NOTICE OF FILING SONIA MERCADO & ASSOC. CIV 100
 22 FORMS)
 23 Filed by Attorney for Pltf/Petr

24 **03/22/2010** Miscellaneous-Other (PLAINTIFF'S RESPONSE TO OSC RE DEFAULT JUDGMENT)
 25 Filed by Attorney for Pltf/Petr

26 **03/22/2010** Partial Dismissal (with Prejudice) (DOES 1-10 ONLY)
 27 Filed by Attorney for Pltf/Petr

28 **03/22/2010** Miscellaneous-Other (PLAINTIFF'S BRIEF SUMMARY OF THE CASE IN SUPPORT
 OF DEFAULT JUDG.)
 Filed by Attorney for Pltf/Petr

52. Plaintiff demands this Court to examine the Judgment filed by the Court on the date
 below, Judgment was to be granted AFTER the Court were to review for the "Completeness" of the
 premature Entry of Default where Plaintiff was to have received sanctions. The Court never checked,
 nor reviewed the COMPLETENESS of documents filed by Attys Paz and Mercado because the court
 received a bribe; so, they can win their cases!

03/24/2010 Judgment Filed by Court

53. Plaintiff demands this court to evaluate the "uniformity" of the law as was applied in case BC 402096 Mercado v. Castaneda and GC 042105 Ramirez v. Castaneda. Why will the court allowed a complete stranger, Attorney Shomer or Attorney Berke not on File, to come into a Court Proceeding for Atty Mercado v. Castaneda without an MC 50 SOA, or representation form, and in the latter case, Ramirez v. Castaneda GC 42105, and then Judge DeVanon would not allowed Emahn Counts to represent me at trial, clearly, my representation was hired by the court in the first case and lost, and in the second case, I was not allowed representation, that I hired on February 11, 2010! Why can the court allow who represents Parties? It makes no sense also that I had no evidence for either case! If the fixing of a boxing match or horse racing is illegal, so the interfering of a Judicial Process to come to a Predictive Verdict such as these two cases allowed. In Closing, the statement by Atty Mercado: "apparently Luis Left Millions..." ruined my life! Please help me find the millions missing in the court to be able pay Atty Mercado the almost One Million Dollars awarded illegally by the court; which was really a payoff.

54. Plaintiff demands Magistrate Judge Steve Kim, Central District Court, do Full Disclosure in his handling of Federal Civil Complaint Estate of Castaneda cases: 18-cv-06795-FMO-JCx and 19-cv-00736-(PAA-Max) Bait & Switch tactic to set up to lose and violation of Consent Rights by all parties, and Title 28, USC §636(c)(3) Et Seq. as well as "Identical Rule" by submitting Order and Recommendation after his assignment and Ex-Parte Communication with Atty. Overton. I declare under the penalty of perjury that everything contained in this legal document / complaint to be truthful to the best of my knowledge.

Date: June 21, 2020

Jose Castaneda aka James Blume USMC
Jose Castaneda, aka, James Blume USMC

VERIFICATION (C.C.P. 446 AND 2015.5)

I am a party to this action. The matters stated in the foregoing document are true of my own knowledge, except as to those matters which are stated on information and belief, and as to those matters, I believe them to be true. I am the Executor of the Estate of Luis Castaneda and Felicitas Castaneda and am authorized to make this verification for and on its behalf, and I make this verification for that reason.

Date: June 21, 2020

Jose Castaneda aka James Blume USMC
Jose Castaneda, AKA, James Blume USMC

1 **WHEREFORE**, Plaintiffs pray for judgment against **ALL** Defendants and each of them as
2 follows:

3 1. For Court Fees as provided by law.

4 2. For costs of the suits GP013531, GP003849, GP013952, GC 042105, GC039459,
5 GC039473, GC039743, BS 118244, BC 402096, GC047300 and BC466737 or a total of \$1,
6 955,000.00.

7 3. For a "Work Production Order" in GP013952 filed by **Disbarred Attorney** and
8 GP003829 filed by Attorney Jan Walls Anderson and appraised at **2.3 million** to prove judicial fraud;
9 and release of file which includes all contacts between Counsels Samuel R. Paz, Sonia Mercado,
10 Robert Burke, Lisa Marie MacCarley, Emahn Counts, Sevag Segogoshian, Ivan Shomer, Disbarred
11 Attorney Jack K. Conway and Jan Walls Anderson, who resigned the practice of law in Oregon where
12 she moved with the Estate property that included a \$450,000.00 as she falsely claimed there was no
13 property on hand for distribution. The Fraud has been uncovered on July 11, 2019 by Court Clerk Greg
14 Blair surrendering a Lost Volume of GP003849!

15 4. For Damages by all Defendants in pursuing a Pseudo VL that was denied by Court of
16 Appeals in BC402096, The \$996,002.45 intended to "silence" Plaintiff for exposing the Widespread
17 Systemic Court Rampant Epidemic of Corruption.

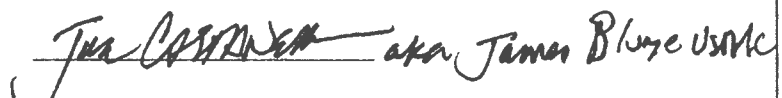
18 5. For punitive damages, for Jack K. Conway to be placed under oath and answer for
19 questions above as well as surrender all filed in his possession purs. to CA Supreme Court Rule 9-20.

20 6. For such other and further relief as the court may deem proper and just.

21 7. For the impeachment of Jack Kenneth Conway, Lisa Marie MacCarley, Sonia Maria
22 Mercado, Samuel Richard Paz, Ivan Shomer, Emahn Counts testimony presented in cases in Los
23 Angeles Superior Court, Stanley Mosk above listed. Or, Your Honor, as they say in the Military... to
24 Put up or Shut Up! Produce their evidence that's **not** manufactured to support the lies in court that
25 "Forced" me to lose my case. Let's start with the testimony of 6 million in Buelna v. Castaneda 2005!

26 Respectfully Submitted,

27 Dated: June 21, 2020

28  aka James Blume USMC
Jose Castaneda, aka James Blume USMC
Per Court Order of Judge Daniel J. Buckley Dept 1